

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Three residences, as further described
in Attachment A

Case No. MJ19-021

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Three residences, as further described in Attachment A.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B for List of items to be Seized.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

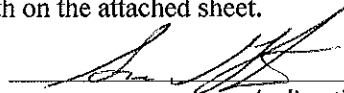
The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. §§ 841 and 846	Manufacturing, distribution and possession with intent to distribute marijuana,
18 U.S.C. §§ 1956 and 1957	money laundering, and conspiracy to commit these offenses.

The application is based on these facts:

See Affidavit do Sean Gotcher, DEA Task Force Officer.

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

SEAN GOTCHER, DEA Task Force Officer
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone (specify reliable electronic means).

Date: 1/17/19


Judge's signature

City and state: Seattle, Washington

BRIAN A. TSUCHIDEA, Chief U.S. Magistrate Judge
Printed name and title

1 drug proceeds in various places in order to conceal the illegal source or their ownership,
 2 including hiding and transporting bulk cash, sending funds through wire transfers or bank
 3 accounts in other persons' names, or investing in assets placed in other persons' names.

4 3. The facts in this affidavit are based on my personal observations, my training
 5 and experience, and information obtained from other officers and investigators. I have not
 6 included every fact concerning this investigation, rather, I have set forth the facts that I
 7 believe are necessary for a fair determination of probable cause.

8 **PURPOSE OF THIS AFFIDAVIT**

9 4. This affidavit is submitted in support of an application to search the following
 10 three residences, as further described in Attachment A, for evidence, fruits and
 11 instrumentalities, as further described in Attachment B, of marijuana manufacturing,
 12 distribution and possession with intent to distribute, money laundering crimes, and
 13 conspiracy to commit these offenses by Nick Liu and others, in violation of Title 21, United
 14 States Code, Sections 841(a)(1), 843(b) and 846; and Title 18, United States Code, Sections
 15 1956 and 1957:

- 16 1. **32519 42nd PL SW Federal Way, Washington**
- 17 2. **31626 42nd Ave SW Federal Way, Washington**
- 18 3. **19346 114th PL SE Kent, Washington¹**

19 **PROBABLE CAUSE**

20 Prior Search Warrant

21 5. On April 12, 2018, a 911 emergency call reported a person attempting to
 22 burglarize the residence located at 30030 12th Ave SW in Federal Way. Federal Way Police
 23 Department (FWPD) officers responded to the residence, suspected a marijuana grow
 24 operation located inside, and obtained a search warrant for the residence.

25 6. Inside the residence, investigators found approximately 55 pounds of
 26 processed marijuana and 559 growing marijuana plants. Investigators also recovered a
 27 _____

28 ¹ The residences requested to be searched are highlighted in **bold** font throughout this affidavit.

1 United States passport for Nick Lui. Puget Sound Energy (PSE) power records revealed
 2 Nick Lui was subscriber for the power at the residence, and became the subscriber in May
 3 2017 (approximately 12 months before the search warrant was executed). Prior to Nick Lui,
 4 records revealed the power was subscribed to Mingshuo Deng, and Comcast bills in Deng's
 5 name were also located inside the residence.

6
 7 Residence #1

8 **19346 114th PL SE Kent, Washington**

9 7. According to subpoenaed bank records, Nick Liu opened Cathay Bank account
 10 xxxxxxxx247 on January 18, 2018, and he provided his address as 30030 12th Ave SW,
 11 Federal Way – the location where FWPD discovered a marijuana growing operation four
 12 months later as described above. Approximately one month after the marijuana operation at
 13 this residence was dismantled, Nick Lui's May 2018 bank statement reflected Liu changed
 14 his mailing address to **19346 114th PI SE, Kent, Washington**. From January to June of
 15 2018, deposits to this account totaled \$5,638.97, with \$3,500 of that amount deposited as
 16 cash.

17 8. According to King County Property Records, on approximately February 24,
 18 2011, Tim and Susan Wong purchased the residence located at **19346 114th PI SE, Kent**
 19 **Washington**. The last known address for the couple is listed as 4858 Culladen St.
 20 Vancouver, V5V 4X9 in British Columbia, Canada.

21 9. Based on my training and experience, I am aware that residential properties
 22 used as covert locations to grow marijuana use excessive amounts of power necessary to
 23 support an indoor marijuana growing operation. Specifically, indoor marijuana cultivation
 24 uses substantial energy to power special growing lights for approximately 16 hours per day,
 25 or longer. These lights generate significant heat, requiring large fans that also need power to
 26 move cool air and remove moisture. Because marijuana plants produce such a strong and
 27 distinctive odor which can reveal the location of a hidden marijuana grow operation, large
 28 charcoal filters and additional venting mechanisms are also used in an attempt to scrub the

1 exiting air before expelling it from the home. All of these components necessary to grow
2 marijuana indoors require large amounts of energy resulting in substantially higher power
3 costs.

4 10. Investigators subpoenaed PSE power records for **19346 114th PI SE Kent**
5 **Washington** which revealed the power was subscribed to Mancie Chen and Wailun Kong.
6 PSE also provided a power usage report for the residence which revealed the power bill
7 ranged from \$50 to \$75 before Chen and Kong assumed responsibility for the power bill.
8 After Chen and Kong became the listed PSE subscribers at the end of August 2016, the
9 power usage for the residence increased to nearly five times the normal rate to \$240. Since
10 that time, and as reflected in the power usage report provided by PSE depicted below, the
11 power usage has steadily increased. As of December 31, 2018, Chen and Kong remain the
12 power subscribers, and their power bill fluctuates between \$900 and \$1100 per month.
13 Additionally, PSE reported that since Chen and Kong became responsible for the power bill,
14 the bill has been paid at authorized PSE payment locations in cash. Based on my training
15 and experience, this substantial and sustained increase in power usage and paying for the
16 power in cash is consistent with the residence maintaining a marijuana growing operation.

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Residence #1
19346 114th PL. SE Kent, Washington
PSE Power Usage Report

	A	B	C	D	E	F	G	H
1	Device Number	From Date	To Date	Billed Amount	BILL UOM	Billed Consum	No of Days	Avg. Consum
2	X148390733	12/27/2018	12/31/2018	\$187.20	kWh	1718	5	344
3	X148390733	11/28/2018	12/26/2018	\$988.63	kWh	8914	29	307
4	X148390733	10/26/2018	11/27/2018	\$1,129.06	kWh	6256	33	190
5	U097273459	9/27/2018	10/25/2018	\$948.96	kWh	8557	29	295
6	U097273459	8/28/2018	9/26/2018	\$1,024.69	kWh	9234	30	308
7	U097273459	7/27/2018	8/27/2018	\$1,101.23	kWh	9921	32	310
8	U097273459	6/27/2018	7/26/2018	\$974.76	kWh	8786	30	293
9	U097273459	5/26/2018	6/26/2018	\$1,050.42	kWh	9465	32	296
10	U097273459	4/27/2018	5/25/2018	\$967.69	kWh	8629	29	298
11	U097273459	3/29/2018	4/26/2018	\$951.25	kWh	7951	29	274
12	U097273459	2/28/2018	3/28/2018	\$1,117.66	kWh	9335	29	322
13	U097273459	1/27/2018	2/27/2018	\$907.13	kWh	7584	32	237
14	U097273459	12/28/2017	1/26/2018	\$946.89	kWh	7917	30	264
15	U097273459	11/29/2017	12/27/2017	\$1,064.37	kWh	8962	29	309
16	U097273459	10/28/2017	11/28/2017	\$1,168.49	kWh	9860	32	308
17	U097273459	9/27/2017	10/27/2017	\$948.01	kWh	8101	31	261
18	U097273459	8/26/2017	9/26/2017	\$1,186.69	kWh	9961	32	311
19	U097273459	7/28/2017	8/25/2017	\$1,106.05	kWh	9286	29	320
20	U097273459	6/28/2017	7/27/2017	\$1,203.07	kWh	10098	30	337
21	U097273459	5/27/2017	6/27/2017	\$1,292.82	kWh	10849	32	339
22	U097273459	4/27/2017	5/26/2017	\$1,245.27	kWh	10500	30	350
23	U097273459	3/29/2017	4/26/2017	\$1,066.25	kWh	9277	29	320
24	U097273459	2/28/2017	3/28/2017	\$1,018.17	kWh	8860	29	306
25	U097273459	1/27/2017	2/27/2017	\$874.71	kWh	7616	32	238
26	U097273459	12/28/2016	1/26/2017	\$942.25	kWh	8205	30	274
27	U097273459	11/29/2016	12/27/2016	\$819.03	kWh	7147	29	246
28	U097273459	10/27/2016	11/28/2016	\$1,129.57	kWh	9691	33	294
29	U097273459	9/28/2016	10/26/2016	\$405.97	kWh	3503	29	121
30	U097273459	9/7/2016	9/27/2016	\$504.55	kWh	4346	21	207
31	U097273459	8/27/2016	9/6/2016	\$244.26	kWh	2120	11	193
32	U097273459	7/28/2016	8/26/2016	\$63.31	kWh	567	30	19
33	U097273459	6/28/2016	7/27/2016	\$56.81	kWh	500	30	17
34	U097273459	5/27/2016	6/27/2016	\$69.91	kWh	629	32	20
35	U097273459	4/28/2016	5/26/2016	\$64.48	kWh	580	29	20
36	U097273459	3/30/2016	4/27/2016	\$58.69	kWh	528	29	18
37	U097273459	2/27/2016	3/29/2016	\$92.67	kWh	835	32	26
38	U097273459	1/28/2016	2/26/2016	\$74.79	kWh	680	30	23
39	U097273459	12/29/2015	1/27/2016	\$61.01	kWh	552	30	18
40	U097273459	11/26/2015	12/28/2015	\$90.89	kWh	818	33	25

11. The most recent request for power records at **19346 114th PL SE Kent, Washington** reflect that as of December 27, 2018, Nick Liu became power subscriber for the residence. Although the most recent power records reflect a 5-day pilling cycle of December 27, to December 31, 2018, the power usage for these five days is \$187.20, reflecting excessive power usage far beyond the normal rate for the residence.

12. On January 9, 2019, I walked on the road adjacent to the driveway for **19346 114th PL SE Kent, Washington** and observed the house had all of the window blinds closed or covered with heavy cloth, except for an upstairs window. Based on my training and experience, and participation in more than one hundred search warrants involving residences containing indoor marijuana growing operations, I am familiar with the odor of green growing marijuana plants. As I walked on the roadway next to the house, I was able to detect this odor on the east side of the home near the only open window.

13. Records from the Washington Department of Motor Vehicles reflect that on approximately May 16, 2018, Nick Liu purchased a Mini Cooper vehicle and registered that vehicle to **19346 114th PL SE Kent, Washington** where it continues to be registered as of January 15, 2019.

Residence #2
32519 42nd PL SW Federal Way, Washington

14. According to King County property records, Tong and Jenny Tuong purchased the residence located at **32519 42nd Ave SW, Federal Way, Washington** on or about August 23, 2016 for \$334,000 from Wayne C. Nickson. Tuong obtained one loan for \$267,200 from Wells Fargo Bank to finance this purchase.

15. From August 29, 2016 through February 12, 2018, the PSE subscriber for the residence was listed as Yu Chang Wu. Beginning in February 2018, the subscriber for this property changed to Qinyu Zhang who remains the current subscriber. PSE reported that both Wu and Zhang paid for the service with cash at authorized payment locations.

16. Tong and Jenny assumed ownership of this property on approximately August 23, 2016. PSE records reveal that during the six months prior to their purchase, the monthly PSE bill ranged from \$20.20 to \$91.92. The first full month billing cycle after their purchase (September 17, 2016 to October 17, 2016), the PSE bill increased to \$1,169. The power usage report provided by PSE, and depicted below, indicates the power usage for the residence remains at more than \$1000 per month, or more than 10 times the power used by

the prior owner during the same time of the year. Based on my training and experience, this substantial and sustained increase in power usage and paying for the power in cash is consistent with the residence maintaining a marijuana growing operation.

Residence #2
32519 42nd PL SW Federal Way, Washington
PSE Power Usage Report

A	B	C	D	E	F	G	H
Device Number	From Date	To Date	Billed Amount	BILL UOM	Billed Consum	No of Days	Avg. Consum
U025246683	11/15/2018	12/14/2018	\$1,182.21	kWh	11096	30	370
U025246683	10/17/2018	11/14/2018	\$1,471.82	kWh	13839	29	477
U025246683	9/18/2018	10/16/2018	\$1,644.76	kWh	15703	29	541
U025246683	8/17/2018	9/17/2018	\$1,207.92	kWh	11716	32	366
U025246683	7/18/2018	8/16/2018	\$1,542.41	kWh	14989	30	500
U025246683	6/16/2018	7/17/2018	\$1,643.28	kWh	15976	32	499
U025246683	5/17/2018	6/15/2018	\$1,426.53	kWh	13855	30	462
U025246683	4/18/2018	5/16/2018	\$1,163.44	kWh	11127	29	384
U025246683	3/20/2018	4/17/2018	\$1,383.41	kWh	12855	29	443
U025246683	2/17/2018	3/19/2018	\$1,694.96	kWh	15476	31	499
U025246683	2/13/2018	2/16/2018	\$162.66	kWh	1394	4	349
U025246683	1/18/2018	2/12/2018	\$1,585.54	kWh	14470	26	557
U025246683	12/16/2017	1/17/2018	\$2,005.14	kWh	18370	33	557
U025246683	11/16/2017	12/15/2017	\$1,477.00	kWh	13786	30	460
U025246683	10/18/2017	11/15/2017	\$1,515.28	kWh	14146	29	488
U025246683	9/16/2017	10/17/2017	\$2,028.92	kWh	16831	32	526
U025246683	8/17/2017	9/15/2017	\$1,743.09	kWh	14424	30	481
U025246683	7/19/2017	8/16/2017	\$1,104.16	kWh	9148	29	315
U025246683	6/17/2017	7/18/2017	\$1,859.37	kWh	15384	32	481
U025246683	5/18/2017	6/16/2017	\$1,851.48	kWh	15319	30	511
U025246683	4/18/2017	5/17/2017	\$1,686.85	kWh	14174	30	472
U025246683	3/18/2017	4/17/2017	\$1,161.07	kWh	9966	31	321
U025246683	2/16/2017	3/17/2017	\$1,185.63	kWh	10176	30	339
U025246683	1/18/2017	2/15/2017	\$1,178.97	kWh	10119	29	349
U025246683	12/16/2016	1/17/2017	\$1,229.59	kWh	10568	33	320
U025246683	11/16/2016	12/15/2016	\$1,766.23	kWh	15062	30	502
U025246683	10/18/2016	11/15/2016	\$1,745.31	kWh	14759	29	509
U025246683	9/17/2016	10/17/2016	\$1,169.12	kWh	9897	31	319
U025246683	8/29/2016	9/16/2016	\$135.31	kWh	1173	19	62
U025246683	8/18/2016	8/28/2016	\$13.61	kWh	52	11	5
U025246683	7/19/2016	8/17/2016	\$20.29	kWh	120	30	4
U025246683	6/17/2016	7/18/2016	\$26.58	kWh	184	32	6
U025246683	5/18/2016	6/16/2016	\$48.86	kWh	411	30	14
U025246683	4/19/2016	5/17/2016	\$62.51	kWh	554	29	19
U025246683	3/18/2016	4/18/2016	\$79.42	kWh	711	32	22
U025246683	2/18/2016	3/17/2016	\$91.92	kWh	818	29	28
U025246683	1/16/2016	2/17/2016	\$115.08	kWh	1016	33	31
U025246683	12/17/2015	1/15/2016	\$99.96	kWh	886	30	30
U025246683	11/17/2015	12/16/2015	\$101.13	kWh	895	30	30

1 17. Sales photos posted on real estate websites depict the residence at **32519 42nd**
2 **PL SW Federal Way** before the purchase of the home by Tong and Jenny Tuong. After the
3 purchase, investigators conducting surveillance of the home noted several roof vents were
4 added to the residence. Based on my training and experience, I am aware that moisture is a
5 byproduct of the indoor cultivation process caused by using hot lamps for extended periods
6 of time along with water and growing chemicals. As a result, indoor marijuana growing
7 operations require ventilation to release the excess moisture that will cause mold and ruin the
8 marijuana plants if not ventilated outside the residence.

9 18. On March 6, 2018, FWPD Detective David Prince went to **32519 42nd PL SW**
10 **Federal Way**, and based on his training and experiences as a narcotics detective, including
11 having previously smelled the odor of growing marijuana on more than 50 occasions,
12 Detective Prince observed the odor of fresh marijuana while standing on the street in front of
13 the property. On this same date, Detective Prince observed two vans, one registered to
14 Qinyu Zhang and one registered to Nick Liu parked at the residence. Investigators also
15 observed the van registered to Nick Liu parked at the residence during hours late at night
16 throughout the next several months of the investigation. Based on my training and
17 experience, and interviewing dozens of suspects involved in the production of marijuana, I
18 am aware that individuals cultivating marijuana frequently engage in processing and
19 harvesting marijuana during night hours so that the odor emitted from the plants occurs when
20 other individuals in the neighborhood are inside their homes and will not detect the
21 distinctive odor of marijuana.

22 19. On January 15, 2019, FWPD Detective Justin Antholt conducted surveillance
23 at **32519 42nd PL SW Federal Way** and observed Qinyu Zeng exit the residence. Detective
24 Antholt recognized Qinyu from previous surveillance, and by the photo presented on the
25 Washington driver license in his name. Qinyu entered the Toyota Sienna van registered in
26 his name and drove to the 7-11 food store. Detective Antholt followed Qinyu inside the
27 location and was able to stand behind him in line while purchasing items. Detective Antholt
28 observed the odor of green growing marijuana emitting from Qinyu's clothing/person.

1 Detective Antholt has been a police officer for 6 ½ years, and a narcotics detective for the
2 last twelve 12 months. During Detective Antholt's 6 ½ years as a police officer he worked
3 patrol and encountered individuals in possession of marijuana on at least 50 occasions. In
4 the last 8 months while working as a narcotics detective with FWPD – Special Investigations
5 Unit, Detective Antholt participated in the execution of 12 search warrants involving indoor
6 marijuana growing operations, and is familiar with the distinctive odor of green growing
7 marijuana.

8 20. On January 15, 2019, while Qinyu was away from the residence at **32519 42nd**
9 **PL SW, Federal Way**, I went to the residence and walked the streets surrounding the home.
10 At approximately 7:45 p.m., I observed the home was venting warm air that was creating a
11 pillar of steam approximately six feet tall, at back of the home. The wind appeared to be
12 blowing that steam away from the front of the house toward the back of the house. Based on
13 my training and experience, this pillar of air is commonly caused by using commercial grade
14 fans to expel hot, moist air from a home marijuana cultivation site. I observed that no other
15 house in the neighborhood was expelling a similar pillar of hot air.

16 21. The backyard of **32519 42nd PL SW Federal Way** abuts the backyard of two
17 other neighboring residence. Based on my observations of venting occurring in the back of
18 **32519 42nd PL SW Federal Way**, I relocated to the front of two houses whose backyards
19 abutted the back of **32519 42nd PL SW Federal Way**. While standing in a driveway
20 between these two homes, I observed the odor of fresh green growing marijuana. I further
21 observed the houses behind **32519 42nd PL SW Federal Way** exhibited no signs of being
22 involved in marijuana cultivation. Specifically, both had interior lights on with window
23 shades open at least part way that allowed the activity inside the residences to be seen from
24 the street. Based on my training and experience, residences with indoor marijuana
25 cultivation commonly have all windows covered so that the operations inside are obscured
26 from view by any passersby. Additionally neither home abutting the backyard of **32519 42nd**
27 **PL SW Federal Way**, had any evidence of outside venting. Instead, the odor appeared to be
28 directly and actively vented from **32519 42nd PL SW Federal Way**.

1 Residence #3

2 **34626 42nd Ave. SW Federal Way, Washington**

3 22. According to King County property records, Feng Mai De purchased **34626**
4 **42nd Ave. SW, Federal Way, Washington** on approximately August 24, 2016 for
5 \$324,900.

6 23. According to subpoenaed bank records, Mai purchased the property by
7 providing \$5,000 in earnest money and \$129,115.79 as a down payment, and obtaining a
8 loan for \$194,000 from Cathay Bank to finance this purchase. Monthly payments on the
9 loan were made from the joint Cathay Bank account of De Feng Mai and Xiaomin Gong,
10 account number 5213XXXX and a joint CitiBank account, number 499501XXXX.

11 24. According to information provided by PSE, beginning September 26, 2016
12 (approximately one month after the residence was purchased), power for **34626 42nd Ave.**
13 **SW Federal Way, Washington** was subscribed to Han-Min Liu (not the home owner), and
14 payments for the power were made in cash at authorized payment locations.

15 25. PSE provided the power consumption report for **34626 42nd Ave. SW Federal**
16 **Way, Washington** depicted below. As reflected in the report, power usage by the prior
17 owners from September 2015 to September 2016 ranged from \$30.11 to \$165.45 per billing
18 cycle. Four months after the change in ownership, from December 2016 to November 2018,
19 power usage at the residence ranged from \$1,196.36 to \$2,332.03 per billing cycle. Based on
20 my training and experience, this substantial and sustained increase in power usage and
21 paying for the power in cash is consistent with the residence maintaining a marijuana
22 growing operation.

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Residence #3
34626 42nd Ave. SW Federal Way, Washington
PSE Power Usage Report

A	B	C	D	E	F	G	H
Device Number	From Date	To Date	Billed Amount	BILL UOM	Billed Consum	No of Days	Avg. Consu
A019717386	11/15/2018	12/14/2018	\$1,792.72	kWh	16878	30	563
A019717386	10/17/2018	11/14/2018	\$1,789.03	kWh	16843	29	581
A019717386	9/18/2018	10/16/2018	\$1,671.30	kWh	15958	29	550
A019717386	8/17/2018	9/17/2018	\$1,833.25	kWh	17835	32	557
A019717386	7/18/2018	8/16/2018	\$1,616.30	kWh	15712	30	524
A019717386	6/16/2018	7/17/2018	\$1,832.84	kWh	17831	32	557
A019717386	5/17/2018	6/15/2018	\$1,777.57	kWh	17290	30	576
A019717386	4/18/2018	5/16/2018	\$1,745.14	kWh	16742	29	577
A019717386	3/20/2018	4/17/2018	\$1,678.60	kWh	15620	29	539
A019717386	2/16/2018	3/19/2018	\$2,069.35	kWh	18916	32	591
A019717386	1/18/2018	2/15/2018	\$2,059.28	kWh	16940	29	584
A019717386	12/16/2017	1/17/2018	\$2,332.03	kWh	19215	33	582
A019717386	11/16/2017	12/15/2017	\$2,120.65	kWh	17634	30	588
A019717386	10/18/2017	11/15/2017	\$2,059.30	kWh	17125	29	591
A019717386	9/16/2017	10/17/2017	\$2,247.86	kWh	18644	32	583
A019717386	8/17/2017	9/15/2017	\$1,901.38	kWh	15731	30	524
A019717386	7/19/2017	8/16/2017	\$1,903.82	kWh	15751	29	543
A019717386	6/17/2017	7/18/2017	\$2,137.66	kWh	17682	32	553
A019717386	5/18/2017	6/16/2017	\$2,176.64	kWh	18004	30	600
A019717386	4/18/2017	5/17/2017	\$2,092.49	kWh	17575	30	586
A019717386	3/18/2017	4/17/2017	\$2,095.85	kWh	17964	31	579
A019717386	2/16/2017	3/17/2017	\$1,501.31	kWh	3724	30	124
A019536176	1/18/2017	2/15/2017	\$1,196.39	kWh	10268	29	354
A019536176	12/16/2016	1/17/2017	\$1,702.45	kWh	14620	33	443
A019536176	12/9/2016	12/15/2016	\$215.80	kWh	1884	7	269
R049432909	11/16/2016	11/28/2016	\$59.47	kWh	519	13	40
R049432909	10/18/2016	11/15/2016	\$129.90	kWh	1127	29	39
R049432909	9/26/2016	10/17/2016	\$164.82	kWh	1470	22	67
R049432909	8/18/2016	8/30/2016	\$25.97	kWh	178	13	14
R049432909	8/2/2016	8/17/2016	\$30.11	kWh	220	16	14
R049432909	3/18/2016	3/28/2016	\$56.03	kWh	492	11	45
R049432909	2/18/2016	3/17/2016	\$145.10	kWh	1273	29	44
R049432909	1/16/2016	2/17/2016	\$165.45	kWh	1447	33	44
R049432909	12/17/2015	1/15/2016	\$145.95	kWh	1279	30	43
R049432909	11/17/2015	12/16/2015	\$146.46	kWh	1282	30	43
R049432909	10/16/2015	11/16/2015	\$141.87	kWh	1244	32	39
R049432909	9/17/2015	10/15/2015	\$139.30	kWh	1236	29	43
R049432909	8/18/2015	9/16/2015	\$117.09	kWh	1056	30	35
R049432909	7/17/2015	8/17/2015	\$100.40	kWh	1102	32	34

26. For three consecutive days from January 7, 2019 to January 10, 2019, I conducted intermittent surveillance of the residence and observed no individuals. On

1 January 11, 2019, FWPD Detective Justin Antholt drove by the residence located at **31626**
2 **42nd Ave SW, Federal Way, Washington**, and observed a Mini Cooper vehicle registered
3 to Nick Liu parked in the driveway. Detective Antholt then walked on the sidewalk in front
4 of the home at approximately 1:20 p.m. observed the odor of green growing marijuana.

5 27. Based upon my training and experience, as well as conversations I have had
6 with other law enforcement officers participating in this investigation, I know that drug
7 traffickers and those that assist them, maintain and retain accounts or records of their drug
8 trafficking activities, including lists of drug quantities and money owed (pay owe sheets),
9 phone records, bank records and other records showing the movement of proceeds from the
10 illegal activity that may be used to facilitate the illegal activity such as the purchase of other
11 homes or equipment, where drug proceeds may be stored, and similar records of evidentiary
12 value. These items are generally kept in hidden locations within vehicles, houses,
13 businesses, and safety deposit boxes under the control of the drug traffickers so that their
14 activities will escape detection from law enforcement. I am further aware that individuals
15 involved in drug trafficking commonly use cellular telephones to communicate with co-
16 conspirators and may possess firearms to protect their contraband and proceeds from being
17 stolen by other individuals.

18
19 Use of Telephones

20 28. Based upon my training and experience, and conversations with, and training
21 from, other officers and agents involved in narcotics investigations, I know that drug dealers
22 use cellular telephones as a tool or instrumentality in committing their criminal activity.
23 They use them to maintain contact with their suppliers, distributors, and customers. They
24 prefer cellular telephones because, first, they can be purchased without the location and
25 personal information that land lines require. Second, they can be easily carried to permit the
26 user maximum flexibility in meeting associates, avoiding police surveillance, and traveling
27 to obtain or distribute drugs. Third, they can be passed between members of a drug
28 conspiracy to allow substitution when one member leaves the area temporarily. Since

1 cellular phone use became widespread, every drug dealer I have contacted has used one or
2 more cellular telephones for his or her drug business. I also know that it is common for drug
3 traffickers to retain in their possession phones that they previously used, but have
4 discontinued actively using, for their drug trafficking business. Based on my training and
5 experience, the data maintained in a cellular telephone used by a drug dealer is evidence of a
6 crime or crimes. Such data includes the following:

7 a. The assigned number to the cellular telephone (known as the mobile
8 directory number or MDN), and the identifying telephone serial number (Electronic Serial
9 Number, or ESN), (Mobile Identification Number, or MIN), (International Mobile
10 Subscriber Identity, or IMSI), or (International Mobile Equipment Identity, or IMEI) are
11 important evidence because they reveal the service provider, allow us to obtain subscriber
12 information, and uniquely identify the telephone. This information can be used to obtain toll
13 records, to identify contacts by this telephone with other cellular telephones used by co-
14 conspirators, to identify other telephones used by the same subscriber or purchased as part of
15 a package, and to confirm if the telephone was contacted by a cooperating source.

16 b. The stored list of recent received, missed, and sent calls is important
17 evidence. It identifies telephones recently in contact with the telephone user. This is
18 valuable information in a drug investigation because it will identify telephones used by other
19 members of the organization, such as suppliers, distributors and customers, and it confirms
20 the date and time of contacts. If the user is under surveillance, it identifies what number he
21 called during or around the time of a drug transaction or surveilled meeting. Even if a
22 contact involves a telephone user not part of the conspiracy, the information is helpful (and
23 thus is evidence) because it leads to friends and associates of the user who can identify the
24 user, help locate the user, and provide information about the user. Identifying a defendant's
25 law-abiding friends is often just as useful as identifying his drug-trafficking associates.

26 c. Stored text messages are important evidence, similar to stored numbers.
27 Agents can identify both drug associates, and friends of the user who likely have helpful
28 information about the user, his location, and his activities.

1 d. Photographs on a cellular telephone are evidence because they help
2 identify the user, either through his or her own picture, or through pictures of friends, family,
3 and associates that can identify the user. Pictures also identify associates likely to be
4 members of the drug trafficking organization. Some drug dealers photograph groups of
5 associates, sometimes posing with weapons and showing identifiable gang signs. Also,
6 digital photos often have embedded "geocode" or GPS information embedded in them.
7 Geocode information is typically the longitude and latitude where the photo was taken.
8 Showing where the photo was taken can have evidentiary value. This location information is
9 helpful because, for example, it can show where coconspirators meet, where they travel, and
10 where assets might be located

11 e. Stored address records are important evidence because they show the
12 user's close associates and family members, and they contain names and nicknames
13 connected to phone numbers that can be used to identify suspects.

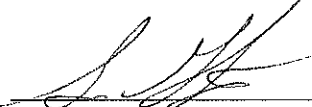
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1 **CONCLUSION**

2 29. Based on the foregoing, I submit there is probable cause to conclude that
3 within the three residences further identified in Attachment A there exists evidence, fruits
4 and instrumentalities, as further described in Attachment B, of marijuana manufacturing and
5 distribution, and money laundering crimes by Nick Liu and others, in violation of Title 21,
6 United States Code, Sections 841(a)(1), 843(b) and 846; and Title 18, United States Code,
7 Sections 1956 and 1957.

8 
9 Sean Gotcher, Affiant
10 Task Force Officer
11 Drug Enforcement Administration

12 The above-named agent provided a sworn statement attesting to the truth of the
13 contents of the foregoing affidavit on the 17th day of January, 2019.

14 
15 JUDGE BRIAN A. TSUCHIDA
16 UNITED STATES MAGISTRATE JUDGE
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Attachment A
Locations to be Searched

1. The residence located at **19346 114th Place Southeast, Kent, Washington** is further described as a two-story, single family home, tan in color with brown trim. The numbers “31642” are posted on the right side of the attached garage. King County Department of Assessments lists the parcel number as 873198-2750.
2. The residence located at **32519 42nd Place Southwest, Federal Way, Washington** is further described as a multi-story, single family home, cream in color with brown shake siding accents. The numbers “19346” are posted on the left side of the attached garage. King County Department of Assessment lists the parcel number as 6817750160.
3. The residence located at **34626 42nd Avenue Southwest, Federal Way, Washington** is further described as a two-story, single family home, blue in color with dark blue trim, and an attached garage. The numbers “34626” are affixed above the front door painted in the same color as the blue trim. King County Department of Assessment list the parcel number as 8732010500.

For the listed residences, authority to search extends to all parts of the property, including main structure, inside the walls of the structures, inside water heaters, containers, compartments, or safes located on the property, whether locked or not where the items described in Attachment B (list of items to be seized) could be found, and all vehicles, containers, compartments, or safes located on the property, whether locked or not, where the items described in Attachments B (list of items to be seized) could be found.

Attachment B
Items to be Seized

Evidence and/or fruits of the commission of the following crimes: for evidence, fruits and instrumentalities, as further described in Attachment B, of marijuana manufacturing, distribution and possession with intent to distribute, money laundering, and conspiracy to commit these offenses by Nick Liu and others, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846; and Title 18, United States Code, Sections 1956 and 1957, including the following:

1. Cash: United States Currency or other currency;
2. Controlled Substances: Including but not limited to marijuana, cocaine, heroin and methamphetamine.
3. Drug Paraphernalia: Items used, or to be used, to store, manufacture, process, package, use, and/or distribute controlled substances, including marijuana, such as plastic bags, cutting agents, scales, measuring equipment, tape, hockey or duffel bags, chemicals or items used to test the purity and/or quality of controlled substances, and similar items.
4. Drug Transaction Records: Documents such as ledgers, receipts, notes, and similar items relating to the acquisition, transportation, and distribution of controlled substances.
5. Customer and Supplier Information: Items identifying drug customers and drug suppliers, such as telephone records, personal address books, correspondence, diaries, calendars, notes with phone numbers and names, "pay/owe sheets" with drug amounts and prices, maps or directions, and similar items.
6. Financial records, including bank records, safe deposit box records and keys, credit card records, bills, receipts, tax returns, vehicle documents, and similar items; and other records that show income and expenditures, net worth, money transfers, wire transmittals, negotiable instruments, bank drafts, cashiers checks, and similar items, and money counters.
7. Photographs/Surveillance: Photographs, video tapes, digital cameras, surveillance cameras and associated hardware/storage devices, and similar items, depicting property occupants, friends and relatives of the property occupants, or suspected buyers or sellers of controlled substances, controlled substances or other contraband, weapons, and assets derived from the distribution of controlled substances.

8. Weapons: Including but not limited to firearms, magazines, ammunition, and body armor.

9. Codes: Evidence of codes used in the distribution of controlled substances, including but not limited to passwords, code books, cypher or decryption keys, and similar information.

10. Property Records: Deeds, contracts, escrow documents, mortgage documents, rental documents, and other evidence relating to the purchase, ownership, rental, income, expenses, or control of the premises, and similar records of other property owned or rented.

11. Indicia of occupancy, residency, and/or ownership of assets including, but not limited to, bills (credit card, utility, rent, etc.), canceled envelopes, rental records or payment receipts, leases, mortgage statements, personal mail, identification (driver's license, membership cards, etc.).

12. Evidence of Storage Unit Rental or Access: rental and payment records, keys and codes, pamphlets, contracts, contact information, directions, passwords or other documents relating to storage units.

13. Evidence of Personal Property Ownership: Registration information, ownership documents, or other evidence of ownership of property including, but not limited to vehicles, vessels, boats, airplanes, jet skis, all terrain vehicles, RVs, and personal property; evidence of international or domestic travel, hotel/motel stays, and any other evidence of unexplained wealth,

14. All bearer bonds, letters of credit, money drafts, money orders, cashier's checks, travelers checks, Treasury checks, bank checks, passbooks, bank drafts, money wrappers, stored value cards, and other forms of financial remuneration evidencing the obtaining, secreting, transfer, and/or concealment of assets and/or expenditures of money.

15. All Western Union and/or Money Gram documents and other documents evidencing domestic or international wire transfers, money orders, official checks, cashier's checks, or other negotiable interests that can be purchased with cash, These documents are to include applications, payment records, money orders, frequent customer cards, etc.

16. Negotiable instruments, jewelry, precious metals, financial instruments, and other negotiable instruments.

17. Documents reflecting the source, receipt, transfer, control, ownership, and disposition of United States and/or foreign currency.

18. Correspondence, papers, records, and any other items showing employment or lack of employment.

19. Telephone books, and/or address books, facsimile machines to include the carbon roll and/or other memory system, any papers reflecting names, addresses, telephone numbers, pager numbers, cellular telephone numbers, facsimile, and/or telex numbers, telephone records and bills relating to co-conspirators, sources of supply, customers, financial institutions, and other individuals or businesses with whom a financial relationship exists. Also, telephone answering devices that record telephone conversations and the tapes therein for messages left for or by co-conspirators for the delivery or purchase of controlled substances or laundering of drug proceeds.

20. Safes and locked storage containers, and the contents thereof which are otherwise described in this document.

21. Tools that may be used to open hidden compartments in vehicles, paint, bonding agents, magnets, or other items that may be used to open/close said compartments.

22. Cell Phones: Cellular telephones and other communications devices including Blackberries may be seized, and searched for the following items:

- a. Assigned number and identifying telephone serial number (ESN, MIN, IMSI, or IMEI);
- b. Stored list of recent received, sent, and missed calls;
- c. Stored contact information;
- d. Stored photographs of narcotics, currency, firearms or other weapons, evidence of suspected criminal activity, and/or the user of the phone or suspected co-conspirators, including any embedded GPS data associated with those photographs;
- e. Stored text messages.